


# HANDBOOK FOR CONNECTICUT SELECTMEN



Patricia Stuart

Institute of Public Service  
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# **HANDBOOK FOR CONNECTICUT SELECTMEN**

Patricia Stuart

1984 Edition

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# Foreword

A **Handbook for Connecticut Selectmen** was first published in January, 1951, as a part of the handbook series prepared and published by the Institute of Public Service. That handbook was substantially revised in 1960 and again in 1973. This 1984 edition incorporates the statutory changes made in the intervening years. Statutory references in this edition are current through the 1983 session of the general assembly.

This handbook is designed as a guide to the provisions of the general statutes of Connecticut which relate to the selectmen. However, the statutes must always be consulted for the complete provisions and for details of their application. Further, ensuing editions of the general statutes and the public acts must regularly be consulted for amendments made by subsequent sessions of the general assembly.

For experienced selectmen this handbook will provide a convenient reference to the statutes, while selectmen new to office will find it helpful in acquiring a basic working knowledge of their duties under the law. In addition, the handbook should continue to prove useful to teachers and citizens by bringing to them a more complete understanding of the numerous and varied duties for which selectmen are responsible in administration of town affairs.

The author of this revised edition is Patricia Stuart, Extension Professor on the staff of the Institute of Public Service. Completion of this project signifies another important contribution by Miss Stuart to the publications of the Institute and to the handbook series in particular.

Every effort has been made to make this handbook as complete and accurate as possible. The Institute of Public Service assumes responsibility for any errors and will be grateful to those readers who call them to our attention.

BELDON H. SCHAFFER  
Director, Institute of Public Service

September, 1984

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# The Office of Selectman

## Historical Background

by *Dr. Max R. White\**

The office of selectman, unlike some other offices in colonial America, was not imported from England, but gradually evolved in New England. It may have been influenced by the office of churchwarden in the English parishes, but it was more likely modeled on the board of assistants of the Charter of the Colony of Massachusetts. The first record of the use of the term "selectmen" is found in Charlestown, Massachusetts, in 1635. Connecticut had selectmen, who were called "townsmen," in the town of Hartford as early as 1639; and the term selectmen, is found in the first Code of Laws of Connecticut in 1650. In the seventeenth century, these officials were referred to in various towns and laws as select men, townsmen, select townsmen, or "those appointed to order the affaires of the town."

From the beginning, the selectmen exercised the general power to superintend the concerns of the town. Originally they carried out the instructions of the frequent town meetings which were held to decide the most minute details of town business. As the town meetings became more formal and were held at less frequent intervals, the selectmen acquired more discretionary power. Many of the important duties exercised by selectmen today originated in the seventeenth century. Among these are care of the poor and insane, administration of the financial affairs of the town, admission of electors, warning of town meetings, administering of oaths to elected officials, and seeing that the boundaries of the town are properly marked. The layout of highways was their responsibility in the early days, but the important function of the care of the highways was exercised originally by the surveyors of highways. The germ of the power to issue licenses and permits is revealed in their "nominating" taverners to keep houses of public entertainment.

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\*Dr. White was a professor of government at The University of Connecticut and author of the 1951 Edition of **Handbook for Connecticut Selectmen**.

Some of the powers exercised at various times by the selectmen have either been transferred to other officials or become obsolete. "Taverners" are now licensed by the state. The selectmen no longer meet twice a year with the justices of the peace, grand jurors, constables, and tythingmen to consult about the suppression of profaneness, vice, and immorality, although they are still authorized to spend \$500 a year for the prosecution of crime. Nor are they now required to keep a stock of ammunition in the town. The selectmen were on the board of health from 1805 until 1893, when their duties were taken over by the town health officer. From 1714 to 1798, the selectmen and justices of the peace were required to inspect local schools once every quarter year and inquire into qualifications of the masters, the proficiency of the children, and give needful directions to increase knowledge, civility and religion.

The powers that the selectmen have gained since the seventeenth century have more than made up for those they have lost. After a considerable period of experimentation with various methods of providing for the care of the highways in the latter part of the nineteenth century, this function has come to rest largely with the selectmen. The various activities of the selectmen relating to elections were gradually added during the nineteenth and twentieth centuries, as the need for greater regulation of elections became apparent. Duties in the field of finance have expanded with the increasing expenditures of the towns. Social, economic, and technological changes have brought responsibilities in such fields as public utilities, housing, planning, zoning, aeronautics, and traffic regulation.

The number of selectmen has varied from town to town and from time to time, but a Connecticut law of 1673 provided that each town was required to elect a number of selectmen not exceeding seven. This remained the law until 1915 when it was provided that towns having a population of less than 10,000 should elect not more than three. The requirement that the minority party be represented among the selectmen was also introduced in 1915.

The office of first selectman must have existed in practice before 1860, but for the first time in that year the office was mentioned in a law, which provided that the first selectman should be town agent. In 1874, for the first time, the election of the first selectman separately from the other selectmen was provided by law. Since that time several powers have been vested in the first selectman alone, but it is still true that most powers are given legally to the selectmen as a body. The predominant position that the first selectman holds in most towns is the result almost entirely of custom.

The office of selectman originated in New England to meet the natural need for an executive agency for town affairs. From the beginning the board of selectmen had a central role in the government of the town. Their powers have gradually increased through the centuries. By custom, one of the selectmen has come to carry on the day-to-day activities of the board, and this position of first selectman is now recognized in the law.

A significant change in the legal basis of the office of selectman has taken place since this history was written. The requirement that every town elect

selectmen was not continued in the state constitution adopted in 1965. Until then selectmen had been elected in each of the 169 towns although in those with the mayor-council and council-manager forms of government the selectmen's only duty had been the constitutionally imposed one of registering voters. The 1965 constitution, in addition to removing the requirement that selectmen be elected, provides that the general assembly establish procedures by which the qualifications of voters are determined. Under these statutes the selectmen are no longer required as members of the board for admission of electors.

## Selectmen As Chief Executive

The selectmen shall superintend the concerns of the town. From this short, but all-inclusive, statement derives the unique position of the board of selectmen in the Connecticut towns which operate under the selectmen-town meeting form of government as provided by the general statutes. The selectmen have certain legislative powers—they convene the town meeting; they draft ordinances which the meeting adopts; they make certain appointments which in consolidated towns and cities are made by legislative body. The selectmen are the principal administrative officials of the town—they build and maintain roads; they keep the town's financial records; they administer the town's welfare services; they appoint administrative boards and commissions.

Most of the major powers and duties which have been delegated by the state have been given to the board of selectmen. However, section 7-12a of the general statutes states that, unless otherwise provided by law, "in each town for which its board of selectmen is the executive authority" the first selectman is the chief executive officer of the town and a non-voting member of all town boards, commissions and committees. The strength which this section has given in recent years to the first selectman's position as coordinator of the activities of the many town boards and commissions has been used with success. The designation of the first selectman as the chief executive officer of the town was added to this section in 1979. It recognizes the necessity for the orderly conduct of town business for the board to have a head who can act for it in matters of routine and other matters that have received the board's approval. It also clarifies the situation when the general statutes require that the chief executive officer of the municipality perform certain functions or duties, language which is increasingly used throughout the state laws.

In a not insignificant number of Connecticut towns operating under the general statutes, the first selectman serves full-time. In this capacity he is the road superintendent, the welfare director, the town's accountant and fiscal officer, and the coordinator of all the administrative activities of the town government. The first selectmen who function in this manner, however, do not do so without the assistance of the other board members. More often than not the board meets at regular intervals, as often as once a week, to discuss details of day-to-day administration as well as to make policy decisions.



## Election, Oath and Bond

The selectmen are elected at the biennial town election. Most towns elect a first selectman and two other selectmen; towns over 10,000 population may elect not more than six selectmen in addition to the first selectman. Votes cast for the unsuccessful candidate for first selectman are counted for him or her as a member of the board, provided no person can be a candidate for first selectman and also for the board at the same election (9-188). The term of office of the selectmen is two years (9-187).

The selectmen must be electors of the town; if a selectman ceases to be an elector, he or she may no longer serve as selectman (1-1c; 9-186). Minority representation on the board is provided for. On a three-member board, consisting of the first selectman and two selectmen, the maximum number of members who can belong to the same political party is two\*\* (9-188; 9-167a).

When a vacancy occurs in the office of selectman, it is filled within thirty days by the remaining members of the board. They may appoint one of their number to the office of first selectman and then fill the remaining vacancy on the board. If the vacancy is not filled by the board within thirty days, it is filled by vote of the elective town officers of the same political party as the person vacating the office or, if he or she did not belong to a political party, by all the elected town officers. The term, "town officers," does not include state representatives or town officers who serve on town boards whose members are not elected at one town election for the same term. The vacancy is filled for the remainder of the unexpired term or until a special election is called in accordance with section 9-222 (9-222).

A selectman may not also hold the office of town clerk, town treasurer, tax collector, judge of probate or registrar of voters (9-210). Before entering upon the duties of their office, the selectmen must be duly sworn. The person administering the oath must file certificate that the oath has been taken with the town clerk who records it (7-10; 1-22; 1-25).

The selectmen must furnish bond to the town. The bond must be good and sufficient, satisfactory to the town treasurer, and conditioned on the faithful performance of the duties of the office. In towns of 15,000 population and over in which the selectmen are the financial agents of the town, the bond for first selectman is not less than \$3,000 and for the other selectmen, \$2,500. The town meeting may require a higher amount. In all other towns, the town meeting may set the amount of the selectmen's bond, but not more than \$3,000 (7-11).

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\*\*On larger boards section 9-188 and 9-167a provide that the maximum number of members, including the first selectman, who may belong to the same political party is: 3 of 4 members; 3 of 5 members; 4 of 6 members; and 5 of 7 members.

## Meetings of the Board

Meetings of the board of selectmen must be open to the public except executive sessions as defined in subsection (e) of section 1-18a (1-21). Executive sessions may be held upon an affirmative vote of two-thirds of the members taken at a public meeting and stating the reasons for the executive session (1-21; 1-18a).

The board of selectmen must keep an accurate record of all minutes of its meetings which record shall be available for public inspection at reasonable times (7-12b). Votes of each member on any issue coming before the board must be reduced to writing and made available for public inspection within forty-eight hours, excluding Saturdays, Sundays, holidays, and days when the selectmen's or the town clerk's office is closed. Votes must also be recorded in the minutes of the session which minutes must be available for public inspection within seven days of the session to which they refer (1-21).

The chairman or secretary of the board must file the schedule of regular meeting dates with the town clerk not later than January 31 of each year. No meeting can be held sooner than thirty days after the schedule has been filed (1-21). The agenda of regular meetings must be available at the board's office or regular place of business or, if none, in the town clerk's office, twenty-four hours before the meeting (1-21). Matters not on the filed agenda may be considered by a two-thirds vote (1-21).

Notice of special meetings of the board must be given not less than twenty-four hours prior to the time of the meeting by posting a notice of the time and place of the meeting in the town clerk's office. In the case of an emergency, a special meeting may be held without complying with this notice requirement, but a copy of the minutes of the meeting, setting forth the nature of the emergency and the proceedings of the meeting, must be filed with the town clerk not later than seventy-two hours following the holding of the meeting (1-21).

Meetings which are open to the public under section 1-21 may be broadcast or recorded for broadcast by any radio broadcasting company located or having transmission facilities within the state. Television cameras of any television broadcasting company may be so located within the room as to permit the broadcasting either by radio or by television or by both of the proceedings of the meeting. The board of selectmen may adopt rules governing the use of broadcasting equipment. In order to apply at a meeting, such rules must have been adopted prior to the meeting. In the absence of adoption of rules prior to the meeting, broadcasting must be permitted (1-21a).

## Part Two

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# Specific Duties of the Selectman

## Introduction

The specific duties of the board of selectmen in towns which operate under the general statutes and in which these duties have not been delegated by special legislation to another executive officer have been grouped here under twenty-five headings. Because of the large number and variety of activities which the selectmen perform, no attempt has been made to quote the applicable statutory provisions in their entirety. It is necessary to consult the statutes in every instance for the details of carrying out the obligations stated. In many instances some of the duties may be carried out under very special circumstances which are not detailed in this booklet. Some responsibilities are shared with other town officials or with private individuals and corporations; these other persons have not been listed in most cases.

For convenience, the statutory references have been included in the text. For example, (7-188) refers to section 188 of Title 7, i.e., section 7-188, of the General Statutes of Connecticut Revised to 1983. References have also been checked for changes made in the 1983 Public Acts. Part III of this handbook contains an index of statutory provisions affecting the office of selectman.

## Boundaries

**Boundary Markers.** Each town must have its boundaries set out by plain and durable marks and monuments of the type specified in the statutes (7-113).

**Review of Boundaries.** Once in each five years the selectmen must appoint and pay two or more persons to perambulate the boundary lines and renew the bounds and monuments. This requirement applies to boundaries with other towns and with a city or borough in the town or in an adjoining town. Any town which neglects to do this must forfeit \$15.00. (7-114).

# Building Inspection and Safety

**Safety in Public Buildings.** In all towns and parts of towns not within the limits of a city or borough, the selectmen must require that all churches and schoolhouses and all public halls have safe exits and are arranged to promote the comfort and safety of persons visiting them. The selectmen may require that buildings be closed until these requirements are complied with (29-382).

**Examination of Buildings.** The selectmen may examine any building or proposed building in the town with reference to its safety and order correction of any abuse of the general statutes or ordinances. An attested copy of the order must be left at the usual place of abode of the occupant and the owner or builder of the building. The owner, builder or occupant may appeal the order to the superior court (29-383).

**Building Inspector.** In towns without a building inspector, the first selectman may perform or designate an assistant to perform the duties of an inspector. These duties include inspection of buildings reported to be hazardous and ordering their repair or removal. In performance of these duties, the first selectman has right of entry to all buildings between the hours of 9:00 a.m. and 5:00 p.m. (29-393).

**State Building Code.** The state building code, including any amendments adopted by the state building inspector and building codes and standards committee, shall be the building code for all towns, cities and boroughs (29-253). The chief executive officer of any town, city or borough, unless other means are already provided, shall appoint a building official to administer the code for a term of four years. Two or more communities may combine in the appointment of a building official (29-260). Sections 29-261 and 29-262 prescribe the qualifications for building officials.

## Charters and Ordinances

### *Home Rule Charter*

**Vote to Draft Charter.** The board of selectmen may, by a two-thirds vote of the entire membership of the board, initiate action to draft a charter for the town or revise an existing charter. Ten percent of the voters may petition the selectmen to initiate such action (7-188).

**Charter Commission.** Within thirty days after the vote or petition to draft a charter, the selectmen must by resolution appoint a charter commission or charter revision commission. The commission must have not less than five nor more than fifteen members who are electors of the town, not more than one-third of whom hold office in the town, and not more than a bare majority of



whom are members of the same political party. The selectmen must specify by resolution when the commission must report the proposed charter or amendments, but the report must be made not later than sixteen months from the date of its appointment (7-190).

**Public Hearing and Recommendations.** Within forty-five days after receiving the report of the commission, the selectmen must hold a public hearing on it; within fifteen days after the hearing they must make recommendations to the commission for proposed changes in the report. If no recommendations are made, the report as submitted is deemed final. The commission may confer with the selectmen about their proposed changes and may reject the recommendations. The commission must make its final report to the selectmen within thirty days after receiving their recommendation (7-191).

**Approval of Charter.** Within fifteen days after receiving the final report of the commission, the selectmen must approve or reject the proposed charter or amendments. No further action can be taken on rejected provisions for one year unless, within forty-five days after a vote of the appointing authority to reject, a petition for a referendum on the charter signed by 10 percent of the electors is presented to the appointing authority. An approved charter or amendments must be published in full at least once in a newspaper published or circulated in the town within thirty days after approval or certification of a petition (7-191).

**Referendum.** The selectmen must determine, by a majority vote of the entire board, whether the charter or amendments will be submitted to the electors at a regular or special election. The election must be held not later than fifteen months after the selectmen approve the charter or amendments. The charter or amendments become effective if approved by a majority of the electors voting on them at a regular election or by a majority equal to 15 percent of the electors of the town at a special election (7-191).

**Home Rule Ordinances.** The selectmen may initiate action to adopt a home rule ordinance in substitution for a special act relating to the town's government. The ordinance may contain the provisions of the special act, with or without changes not inconsistent with the constitution or general statutes, and may amend or repeal any home rule ordinance (7-188). A home rule ordinance commission is appointed in the same way that a charter commission is appointed (7-190). Adoption of the ordinance follows the same procedure as that for a charter or charter amendments (7-191). No new home rule ordinances may be initiated after October 1, 1982 (7-188).

**Publication of Ordinances and Special Acts.** All towns must compile and publish in permanent form all town ordinances and special acts relating to the town. This compilation must be kept up-to-date by publication of



biennial supplements on or before March 1 of each even-numbered year. The compilation and supplements must be available for sale to the public at a reasonable cost (7-148a).

## Civil Preparedness

**Town Director and Advisory Council.** Every town or city in the state must establish a local organization for civil preparedness in accordance with the state civil preparedness plan and program. Two or more towns or cities, with approval of the state civil preparedness director, may establish a joint civil preparedness organization. The local organization must include an advisory council and a director appointed by the chief executive officer of the town. The advisory council must include representatives of town agencies concerned with civil preparedness and representatives of interests which are important to the civil preparedness program in the town including business, labor, agriculture, veterans' and women's groups and others (28-7).

**Outside Aid.** The chief executive authority of the town or city may request assistance from another municipality in an emergency (28-8).

**Federal Aid.** The chief executive authority of the town may accept offers of aid from the federal government or any person, firm or corporation and may authorize any officer of the town to receive such aid (28-15).

## Collective Bargaining

**Right to Bargain Collectively.** Municipal employees, as defined in section 7-467, have the right of self-organization; to form, join or assist any employee organization; to bargain collectively through representatives of their own choosing on questions of wages, hours and other conditions of employment; and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection, free from interference, restraint or coercion (7-468). Elected officials and administrative officials are among those excluded from collective bargaining (7-467).

**Duty to Bargain Collectively.** The municipal employer and the employee organization designated as exclusive representative of employees in a bargaining unit have the duty to bargain collectively through appropriate officials or their representatives (7-469). Collective bargaining is the performance of the mutual obligation of the municipal employer or his designated representative and of the employees' representative to meet at reasonable times, including meetings appropriately related to the budget-making process, and to confer in good faith with respect to wages, hours and other conditions of employment, the negotiation of an agreement or any question arising thereunder, and the execution of a written contract incorporating any agree-

ment reached if requested by either party. But this obligation does not compel either party to agree to a proposal or require the making of a concession (7-470, subsec. c). The chief executive officer may recognize an employee organization as representative of a majority of employees for the purpose of collective bargaining (7-468).

**Negotiations between Employer and Employees.** The chief executive officer or his designated representative shall represent the municipal employer in collective bargaining with the designated employee organization (7-474, subsec. a). Agreements reached by the negotiators must be reduced to writing. Where the legislative body is the town meeting, approval of the agreement by a majority of the selectmen makes it valid and binding upon the town and the board of finance must provide whatever funds are necessary to comply with the collective bargaining agreement (7-474, subsec. b).

## Districts

**Special Districts.** A district is defined as any fire, sewer, fire and sewer, and lighting district, village, beach or improvement association, and other district or association, except school district, which is wholly within a town and which has power to make appropriations or to levy taxes (7-324). Twenty or more voters who do not live in a city or borough within the town may petition the selectmen to call a meeting of the voters in a proposed district to vote on the formation of a district. The petition must specify the limits of the district which may not include any part of a city or borough and the purposes for which it is being organized. The selectmen designate the place and time for the meeting which must be held within thirty days after the petition is filed. A written notice of the meeting, signed by the selectmen, is posted on a town signpost and in some prominent place in the district at least fourteen days before the date of the meeting; the notice is also printed in two successive issues of a newspaper published or circulated in the town (7-325).

**Port District and Authority.** Any town may, by vote of its legislative body, establish a port district. The affairs of the district are administered by a port authority of from five to seven members. Members of the port authority are appointed by the chief executive of the town and serve for a term of office prescribed by the legislative body. Vacancies are filled by the chief executive for the unexpired term. Members serve without compensation except necessary expenses (7-329a). The powers and duties of a port authority are defined in section 7-329c.

**Historic District Study Committee.** The legislative body may appoint or authorize the chief elected official of the town to appoint an historic district study committee for the purpose of investigating a proposed historic district (7-147b).

**Transit District.** The board of selectmen appoint, with approval of the legislative body, members of a transit district board of directors (7-273c).

## Dogs

**Dog Warden.** The chief of police in towns and cities which have a police department and the selectmen or chief executive officer of each town which has no police department, or other appointing authority designated by the town charter, must appoint a warden and assistants as deemed necessary to administer and enforce the laws relating to dogs. Qualifications for dog wardens shall be prescribed by the commissioner of agriculture, and the term of office shall be at least one year (22-331, subsec. b). Full time wardens are required in towns and cities having a population over 25,000 which have adopted the provisions of chapter 113 of the general statutes or otherwise provided a merit system (22-331, subsec. a). Appointments made under this section must be promptly reported to the commissioner (22-331, subsec. c).

**Regional Canine Control Officers.** Two or more contiguous towns, each of which has less than 25,000 population, and which have provided or will provide a dog pound within their region may agree, by action of their legislative bodies, to be served by a regional canine control officer. The agreement must be certified to the commissioner of agriculture, who may establish the region (22-331a).

**Damage by Dogs.** A person who sustains damage by dogs to certain domestic animals which have been confined according to law shall report the damage to the chief administrative officer or his agent of the town in which such damage was sustained. The report must be made within twenty-four hours or, if on a weekend, the next succeeding business day. The chief administrative officer or his agent and the person claiming the damage must estimate the amount of damage. Claims for damages may not be allowed to anyone who owns, keeps or has in his possession an unlicensed dog over six months of age or who fails to report within the time specified (22-355, subsec. a). Provision is made for the person who has sustained dog damage to institute a civil action against the town if the chief administrative officer or his agent fails to meet the requirements of the statute (22-355, subsec. d). The chief administrative officer must report a notice of dog damage to the commissioner of agriculture within twenty-four hours (22-355, subsec. e). The town pays the amount of the damage and the compensation of the person assisting in estimating the amount of the damage. It may recover this amount from the owners or keepers of the dogs if they are residents of the town. If the owners or keepers are nonresidents, the town may recover from the town of their residence (22-355, subsec. b).

**Dog Pound.** Every town must provide and maintain a comfortable sanitary building for use as a dog pound (22-336).

**Pasteur Treatment.** The selectmen must provide Pasteur treatment for persons injured by rabid dogs or other animals upon receiving a certificate of necessity for treatment from a physician. The town pays for the treatment and may be reimbursed by the state for it (22-360).

**Registration of Dogs.** The selectmen must annually, at least thirty days before June 30, post on the town signpost a notice that dogs must be licensed in June (22-337).

## Education

**School Districts.** When a school district lays a tax based on the town grand list, the selectmen and assessors sit as a committee to exercise the functions of the board of tax review with regard to changes in the list (12-200).

**Hardship Grants.** The town meeting may direct the selectmen or the chairman of the board of education to apply to the state board of education for a hardship grant to finance a school building project (10-288).

**Truant Officers.** The selectmen approve fees to be paid to officers arresting truants; the arresting officer must present a written statement showing the name of the child, the day of the arrest, and the school to which the child was returned (10-201).

**Board of Education.** If the town board of education fails to elect officers as provided, the selectmen choose them (10-218).

**Regional School District.** If a town which is a member of a regional school district fails to appropriate the amount necessary for payment of its share of the district's budget, the board of selectmen may petition the superior court to determine the amount of the deficiency (10-51a).

## Elections

**Board for Admissions of Electors.** The selectmen and the town clerk are members of the board for admission of electors unless the legislative body of the town votes to change the membership of the board as provided in section 9-15c. If a member of the board is unable to attend a session of the board, he must designate another elected officer of the town to act for him by filing a statement of designation in writing with the town clerk anytime prior to the opening of the session (9-15a).

Under 1983 Public Act 83-391 the board for admissions of electors is now concerned only with appeals from actions of admitting officials. Section 9-31L provides for appeals from decisions of registrars of voters concerning the right of a person to be or to remain an elector to be made to the board for admission



of electors. The person making the appeal must so notify the board in writing. The board must then notify, in writing, the appellant and the admitting official of the time and place when the appeal will be heard. The hearing must be within twenty-one days after notice of the appeal is given to the board. The board may receive sworn testimony and other evidence relating to the right of the person to be or to remain an elector. The board must render its decision within seven days after the hearing and must notify the appellant and the admitting official in writing of its decision (9-31L).

**Distance Markers at Polling Places.** The selectmen must provide suitable markers to indicate the 75 foot distance from the entrance of each polling place. The size and wording on these markers is prescribed by statute (9-236).

**Rooms for Holding Elections.** The selectmen, unless otherwise provided by law, must provide or may authorize the registrars of voters to provide, a suitable room or rooms and voting machine booths for holding all elections. The interior of the booths must be secure from outside observation (9-240).

**Voting Machines.** The selectmen must provide for each polling place, in accordance with section 9-238, one or more voting machines in complete working order. The selectmen have custody of voting machines and must keep them in repair. They also have care and custody of the furniture and equipment for the polling places between elections (9-240).

The board of selectmen of each town must purchase, lease, or otherwise provide voting machines approved by the secretary of the state sufficient to provide one voting machine for each 900 or fraction of 900 electors whose names appear on the last completed registry list of the town. In towns divided into voting districts a voting machine must be provided for each 900 electors or fraction of 900 electors whose names appear on the last completed registry list of each district (9-238). In addition, the selectmen must provide in towns of less than 5,000 voters one additional voting machine; in towns of 5,000 to 25,000 population, at least two additional voting machines; in towns 25,000 to 50,000, at least three additional voting machines; and in towns over 50,000, at least four additional voting machines. The selectmen may provide, in towns under 5,000 population, for a supply of paper ballots in lieu of the additional machine (9-238; see this section for details of procedure for substituting paper ballots for spare machines).

No voting machine manufactured prior to January 1, 1927, may be used in any election in this state. No voting machine manufactured after this date may be used if, in the opinion of the secretary of the state, it does not conform to the requirements of law or is unsuitable for use in an election. When a voting machine is purchased or leased by the selectmen, they must notify the secretary of the state, in writing, of the name or make of the machine, the name of its manufacturer, the name of the person from whom it was purchased or leased,

the date of purchase or lease, and its serial number. When a voting machine is discontinued from use or is sold, the selectmen must send written notice to the secretary of this fact, of the time or reason for discontinuance, and of the same information required for a new machine (9-238). The town clerk must annually notify the secretary of the number of registered voters and voting machines in the town and must file a duplicate of this notice with the selectmen (9-238a).

The selectmen, as the officials responsible for providing voting machines in towns, must arrange for examination of each voting machine not more than seven months or less than one month prior to each regular election. This examination must be made by the company manufacturing the machine or its successor or, with approval of the secretary of the state, by persons skilled in the mechanics and operation of voting machines and is for the purpose of determining that the machine is in proper operating condition for use in the election. The inspectors must file a report of the inspection with the secretary and the selectmen. Machines found not in sound operating condition must be repaired or replaced (9-240a).

**Sample Ballot Labels.** The board of selectmen or the town clerk shall provide for all polling places using voting machines at least three sample ballot labels in the form prescribed in section 9-255.

**Special Town Elections.** A special town election may be convened when the board of selectmen deems it necessary. A special town election shall be held not earlier than the one hundred and fifth day following the day when the town clerk, upon instruction from the board of selectmen, issues a warning for the election by publishing a notice in a newspaper having general circulation in the town. On application of twenty electors of the town, the town clerk shall, within ten days after receiving the application, issue the warning for a special town election, which shall be held on a day prescribed by the selectmen not earlier than the one hundred and fifth day and not later than the one hundred and fifteenth day following the day of the warning. (9-164.)

**Paper Ballot Elections.** The selectmen have duties with regard to ballot boxes for elections in which paper ballots are used (See 9-287; 9-288; 9-289; 9-290).

**Primary Election Costs.** After the March presidential primary, the chief executive office of the town submits to the secretary of the state an itemized statement, on forms furnished by the secretary, of expenses incurred in conducting that primary (9-464).

## Finance

**Budget.** In towns without a board of finance, the selectmen present to the annual town meeting or to the annual budget meeting itemized estimates

of the expenses of the departments of the town for the coming year (12-122; 7-388). In towns which have adopted the uniform fiscal year statutes and which have no board of finance, the selectmen must publish the budget in accordance with section 7-344. The budget must include the items specified in sections 7-344 and 7-390 (7-390). The town meeting must make specific appropriations for all purposes authorized by law and provided for in the warnings of meetings at which appropriations are made (7-121).

**Expenditures.** No town officer may expend or contract for expenditure of more than is appropriated for any department. In cases of necessity connected with the repair of highways, bridges, sidewalks and water and sewer systems and the care of the town poor, appropriations may be exceeded by \$1,000 (7-348).

**Additional Appropriations.** In towns with boards of finance, when it becomes necessary to spend more than has been appropriated for any department, the selectmen must notify the board of the need for an additional appropriation. The board may make the necessary appropriation. However, the appropriation must be approved by town meeting (1) in towns where the grand list is less than \$20 million, if the amount required, together with any additional appropriations made by the board for the department during the fiscal year, exceeds \$5,000 and (2) in towns where the grand list is more than \$20 million if the amount required, together with any other additional appropriations made during the fiscal year, exceeds \$10,000. No more than one additional appropriation for any one department shall be made in one year without town meeting approval. The board of finance may make additional appropriations for the care of town poor without town meeting approval not to exceed in the aggregate \$2,000 in towns where the grand list is less than \$20 million or \$4,000 in towns where the grand list is more than \$20 million (7-348).

When appropriations are not made before the beginning of the fiscal year, the disbursing officers may make necessary expenditures during the first ninety days of the fiscal year. Proper warrants must be used and the amounts must be authorized by the appropriating body — the board of finance or the selectmen. These expenditures constitute the first charges against appropriations for the fiscal year in which they are made (7-405).

**Accounts.** The selectmen must use the selectmen's distribution book and selectmen's orders prescribed by the secretary of the office of policy and management. The town may use another accounting system if it is approved by the secretary (7-399).

**Bonds and Borrowing.** Any town issuing bonds may authorize the selectmen or board of finance to determine the rate of interest and the time of payment of bonds (7-370).



**Tax Collector.** The selectmen fix the amount of the tax collector's bond, which must be procured from a surety company of good standing. The premium on the bond is paid by the town (12-136). The selectmen may appoint an acting tax collector when the collector becomes unable to perform his duties. The appointment must be in writing, and the acting collector must be sworn and bonded (12-137). If the tax collector refuses to receive the rate bill, to give bond, or to collect and pay the tax within the time limit and returns the rate bill, the selectmen may depute some person to collect the sums due on the rate bill (12-136).

**Rate Bills.** The selectmen are responsible for making out and signing rate bills showing the proportion each taxpayer must pay according to the assessment list. This means that the selectmen prepare the tax collector's rate book which itemizes the taxes due from each taxpayer. The selectmen must have a judge of the superior court or a justice of the peace issue a warrant for the collection of the rate bill (12-130). The selectmen or town clerk assigns a number to each tax account (12-134). If the town fails to lay necessary taxes or to lay a tax sufficient to pay the town's current expenses, the selectmen must make a rate bill for the needed amount and have it collected (12-123).

**Receipts for Taxes Paid.** The town must supply the collector with record receipt books which contain forms in duplicate, consecutively numbered. The selectmen may issue a duplicate receipt where the original has been mutilated or lost (12-151).

**Abatements and Refunds of Taxes.** The selectmen may abate taxes, or the interest on delinquent taxes, or both, of persons who are poor and unable to pay; they must present a list of those persons to the annual town meeting (12-124). The selectmen may also abate taxes of a corporation if the amount of taxes due by the corporation is a handicap to receiving a federal working capital loan. A written application for the abatement must be made; and a hearing may be held on the application and the facts stated in it (12-125).

The selectmen must approve abatement or refund of taxes on personal property assessed in more than one town, taxes paid by blind persons where proof of exemption has been delayed, taxes erroneously collected from veterans or their relatives, and excess payments. The tax collector receives applications for these abatements or refunds and turns them over with his recommendations to the selectmen who take final action (12-126; 12-127; 12-128; 12-129). Any town may upon approval of the board of selectmen abate taxes on a residence when the taxes exceed 8 percent of the taxpayer's income (12-124a).

**Transfers to Suspense.** In towns without a board of finance, the selectmen must examine the tax collector's list of uncollectible taxes and designate each tax which they believe to be uncollectible. These taxes may be transferred by the collector to the suspense tax book (12-165).



**Deferred Collection.** The selectmen authorize the tax collector to defer collection of property taxes when application for deferment is made (12-174).

**Tax Liens.** The selectmen may discharge liens filed to secure payment of taxes when the tax is abated or paid or on advice of the town counsel. A certificate discharging the lien must be filed in the land records (12-179).

**Lists of Taxpayers.** The selectmen must preserve the lists of taxpayers delivered by the collector to the town treasurer until the collector's accounts are finally settled (12-149).

**Actions Against the Tax Collector.** The selectmen must enforce forfeiture by the tax collector of his compensation when the collector has illegally retained tax money or tax lists (12-147). When a collector fails to collect and pay taxes within the time set by law, the selectmen apply to a judge of the superior court for an execution against the collector. The selectmen may apply to the superior court for removal of a collector who fails to perform his duties (12-154).

**Tax Exempt Property.** The chief executive officer of the town must notify the tax collector when the town receives property which would be exempt from taxation under subsection (4) of section 12-81 (12-81d).

**Extension of Time to Complete Grand List.** The chief executive officer of the town must approve a request by the assessors or board of tax review to the secretary of the office of policy and management for an extension of time to complete their duties (12-117).

**Annual Audit.** The budget-making authority of the town annually must select an independent public accountant, approved by the secretary of the office of policy and management, to audit the town accounts. Towns which had average annual receipts from property taxation during the preceding three years of not more than \$75,000 may request the secretary to audit their books. The cost of this audit is borne equally by the town and the state. Towns which had average annual tax receipts between \$75,000 and \$200,000 during the preceding three years may also have the secretary audit their books. The cost of this audit is borne entirely by the town (7-392).

**Town Treasurer.** The treasurer's record of receipts and payments is presented to the annual town meeting after adjustment by the selectmen (7-80).

**Deposit and Investments of Town Funds.** The selectmen may on request of any custodian of public funds designate banks which will be depositories of public funds. The designation, which must be in writing, is filed with the

town clerk and may specify the funds and maximum amounts to be deposited in each depository (7-401). The town treasurer may, with approval of the town's budget-making authority, invest temporarily in direct obligations of the United States any portion of bond proceeds or other funds, including the general fund, as are deemed available for this purpose (7-400).

**Selectmen's Orders.** The selectmen must adjust and settle all claims against the town and draw orders on the treasurer for their payment. The selectmen must make a monthly sworn statement to the town treasurer of the amount, number and date of each town order drawn by them. They must keep a true and permanent account of all expenditures; this account is verified under oath at the end of the year and made available for auditing and public inspection (7-12). All orders drawn by the selectmen on the treasurer must be signed by a majority of the selectmen and must be in duplicate or upon an order which has an attached stub. The duplicate or stub must contain a comprehensive statement of the amount and purpose for which the order was drawn (7-13; 7-83).

**Municipal Reserve Fund.** Upon recommendation of the board of finance or of the selectmen in towns without a board of finance, the town meeting may create a reserve fund for capital and nonrecurring expenditures (7-360). In towns without a board of finance, the selectmen make recommendations to the town meeting for payments into the fund, direct the treasurer to invest the fund, and recommend use of the fund (7-361; 7-362; 7-364).

**Agreement on Assessment of Multi-family Housing.** A town acting through the board of selectmen has the power to enter into an agreement fixing the assessment on multi-family housing projects (12-65).

**Appeals from Action of the Commissioner of Revenue Services.** Any town aggrieved by an action of the commissioner of revenue services may appeal to the superior court (12-33).

**Uniform Fiscal Year.** In towns without a board of finance, the selectmen have specified duties in connection with changing to the uniform fiscal year (7-382 through 7-390).

## Fire and Police Protection

**Fire Department.** The town meeting may establish a town fire department under the management of the board of selectmen. The selectmen may make regulations for conduct of the department; appoint, discipline and remove department employees; and purchase supplies and equipment for its operation. The town meeting may direct that selectmen enter into an agreement with volunteer fire companies for fire protection in the town and prescribe

conditions of financial assistance and regulation by the board of selectmen. A town fire department may not supersede any volunteer company which owns property without first making an agreement with the company as to the disposition of, and compensation for, the property (7-301).

**Fire Police.** The authorities having supervision of the fire department of any town, city, borough or district may appoint any number of persons they deem necessary to be fire policemen of the municipality or district. Fire police have the power and perform the duties of special constables (7-313a).

**Fire Marshals.** The selectmen, in towns where there is no board of fire commissioners or other similar board, appoint a town fire marshal and deputy fire marshals. Preference for these appointments must be given to regular or volunteer firemen (29-297). Local fire marshals holding office in any municipality must be certified by the state fire marshal (29-298). Towns may combine to appoint a fire marshal (29-301).

**Board of Police Commissioners.** Any town may, by ordinance, establish a board of police commissioners to organize and maintain a town police department (7-274). The selectmen may fill vacancies on this board (7-275).

**Special Constables.** The chief executive officer of any municipality may appoint any number of special constables as he deems necessary to preserve the public peace within the municipality. They may serve for terms of not more than two years or during any public celebration or gathering, riot or unusual excitement. They have the authority of constables to serve criminal process and make arrests (7-92). The chief executive officer of the town may appoint special constables who have limited geographical jurisdiction or who are appointed at the request of corporations, associations, or businesses (7-92).

**Police Powers of the Selectmen.** The selectmen may build or lease a lockup for persons awaiting trial (7-134). The selectmen may offer a reward of not more than \$200 for information leading to arrest and conviction of persons committing high crimes (54-49).

**Police Assistance between Municipalities.** The chief executive officer of any town, city or borough may whenever he determines it to be necessary in order to protect the safety or well-being of his municipality, request the chief executive officer of any other municipality to furnish police assistance (7-277a).

## Health and Sanitation

**Director of Health.** The chief executive officer of each town, unless the town charter provides otherwise, must nominate a director of health for the

town. The nomination must be confirmed or rejected by the board of selectmen within thirty days. The director of health must be either a licensed physician or hold a graduate degree in public health as the result of at least one year's training including at least sixty hours in local public health administration in a recognized school of public health or have a combination of training and experience approved by the commissioner of health services. The director holds office for a term of four years from the date of his appointment (19a-200). Any town, by vote of its legislative body, may enter into a contractual arrangement with a hospital approved for this purpose by the commissioner of health services to appoint jointly a director of health (19a-201). A certificate of the appointment must be filed with the commissioner of health services (19a-204).

**District Department of Health.** If the town votes to join a district department of health, the board of selectmen appoint one member to the board of the district for a term of three years. Any town having a population over 10,000, as annually estimated by the state department of health services, is entitled to one additional representative for each additional 10,000 population or part thereof, provided no municipality may have more than five members (19a-241).

**Swamp Lands.** The selectmen direct the draining or filling of swampy or wet places which are judged to be unhealthy by the town director of health (19a-212).

**Water Pollution.** If the commissioner of environmental protection finds that a municipality is causing pollution of the waters of the state, that a community pollution problem exists, or that pollution can reasonably be anticipated in the future, he must issue an order to abate pollution to the municipality (22a-428). Upon complaint of the selectmen, the state commissioner of environmental protection must investigate any alleged pollution of state streams and issue corrective orders (22a-418). The governor, when requested by the town, may appoint special policemen to prevent contamination of reservoirs (25-44). The town may apply for an injunction to prevent pollution of water supplies and ice (25-51).

**Sewer System.** Any town may create a water pollution control authority to construct and operate a sewer system (7-246; 7-247).

**Vital Statistics.** The selectmen must approve appointments of assistant registrars and sub-registrars of vital statistics (7-38; 7-65).

**Corpses for Anatomical Purposes.** Under specified conditions, the first selectman can deliver corpses to the University of Connecticut or Yale University School of Medicine (19a-270; 19a-282; 19a-287).



# Highways

**Towns to Build and Maintain Highways and Bridges.** Towns must build and repair all necessary highways and bridges within their limits. The annual town meeting may provide for the repair of the town's highways for a period of five years. If the town fails to so provide, the selectmen may provide for such repairs for one year (13a-99). The annual town meeting or a special town meeting may accept as a public highway any proposed highway located in the town (13a-48). The state commissioner of transportation may transfer any highway, or section of highway, in the state highway system to a town (13a-44). The commissioner of transportation and the selectmen may enter into an agreement, in writing, under which a designated section of state highway, other than limited access highway, will be maintained by the town (13a-97). The transportation commissioner may agree with authorized officials of the town to construct frontage roads along limited access highway (13a-98a). The transportation commissioner may agree with authorized municipal officials to construct, reconstruct, improve or widen urban arterial streets in connection with construction or improvement of limited access highways (13a-98b). The commissioner of transportation and authorized local road or highway officials may select routes to be included in the federal-aid urban highway system (13a-98h).

**Superintendent of Highways and Bridges.** Town may vote to appoint a superintendent of highways and bridges to assume the duties of the selectmen with regard to highways and bridges. The selectmen appoint the superintendent for a three-year term (13a-8).

**Layout of Highways.** The selectmen may lay out necessary highways. A written survey describing each highway is recorded in the land records of the town (13a-61). No individual may lay out a highway and open it to the public without approval of the selectmen. The first selectman must close any street or highway laid out in violation of these provisions (13a-71). There is a special procedure for layout and maintenance of highways dividing towns (13a-13). If the selectmen refuse to lay out or maintain a highway, any person may apply to the superior court to force action (13a-63).

**Discontinuance of Highways.** The selectmen may, subject to town meeting approval, discontinue any town highway or private way except those laid out by any court or the general assembly (13a-49). The selectmen must approve discontinuance of highways by a private water company wishing to enlarge a reservoir (13a-128).

**Boundaries of Highways.** Whenever the boundaries of any highway are uncertain, the selectmen, on written application of anyone owning property adjoining the highway, may define the boundaries and conduct a hearing on

their decision (13a-39). Boundaries of new highways must be marked and defined in a specified manner (13a-41).

**Bridges.** No bridge may impair the passage of open-deck vessels used for business purposes (13a-112). Bridges over railroads must be a certain height (13a-130). The expense of building and repairing bridges between towns is paid by them according to average annual tax receipts (13a-100). The selectmen may order repair of private bridges (13a-101). When a town neglects to construct or repair a highway bridge across a river, the superior court may order the construction or repair (13a-102).

**Snow Removal.** The selectmen must open within a reasonable time all highways blocked by snow. Any selectmen who fails to open a highway after written request of six taxpayers residing on or near the highways may be fined \$10.00 (13a-107). Rural free delivery routes must be opened (13a-108).

**Assessment of Highway Benefits and Damages.** The selectmen may assess the benefits of laying out, opening, grading or alteration of any highway against property owners receiving special benefit therefrom. Any property owner is entitled to payment from the town for damage to his property due to highway construction (13a-82; 13a-83; 13a-84; 13a-85).

**Guard Rails.** Sufficient railing or fence must be erected and maintained on bridges and parts of roads which are raised above the adjoining ground. Damage may be recovered for injuries suffered because of lack of guard rails (13a-111; 13a-152).

**Damages due to Defective Roads and Bridges.** Any person injured by means of a defective road or bridge may recover damages from the person responsible for their repair. Notice of the injury and other pertinent information must be given within ninety days to a selectman or to the town clerk (13a-149).

**Town Aid Funds.** A specified amount of state funds is allocated annually to be used by towns for construction, reconstruction, improvement or maintenance of highways, sections of highways, bridges or structures incidental to highways and bridges or their improvement, including plowing of snow, sanding of icy pavements, trimming and removal of trees, installation, replacement and maintenance of traffic signs, signals and markings, traffic control and vehicular safety programs, traffic and parking planning and administration, and other programs related to highways, traffic and planning and for providing and operating essential public transportation services (13a-175a). The funds allocated under section 13a-175a are distributed among the towns on the basis of the miles of improved road and the ratio between the town's population and the state's population (13a-175b; 13a-175c). In addition, a specified amount of state funds is allocated annually to be distributed pro rata

among the towns of the state on the basis of the total mileage of unimproved roads in each town for the improvement of dirt and unimproved roads, including bridges on such roads (13a-175d). Funds under both of these sections are to be distributed to each town semi-annually, one-half in July and one-half in January (13a-175e). The transportation commissioner upon reasonable request of the selectmen must furnish supervision, inspectors and engineers for any purpose connected with the laying out, construction, repair, reconstruction or maintenance of any highway or bridge (13a-175a).

**Street Numbers.** In the absence of a planning board or commission, the selectmen may assign street numbers (7-120).

**Highway Lighting.** Upon request of the town the commissioner of transportation may enter into an agreement with the town to reimburse it for 25 percent of the cost and annual maintenance of new highway lighting installations on agreed portions of state-maintained highways. At the request of the town, a system of street lighting on any bridge may be installed by the state provided the town reimburses the state for the entire cost (13a-110).

**Expressway Damage to Highways.** When any town highway or bridge is damaged by equipment used in the construction of any expressway, the commissioner of transportation may make an agreement with the town for cost of the repair of this damage. If the town and the commissioner cannot agree on the cost, the town may bring action against the commissioner in the superior court (13a-148).

## Housing

**Housing Authorities.** A housing authority is created in every town and city in the state, but it cannot transact any business until the selectmen declare by resolution that there is a need for a housing authority in the town. Their resolution is based on findings that insanitary or unsafe dwellings exist in the town or that there is a shortage of safe or sanitary dwellings (8-40). The selectmen of two or more towns may create a regional housing authority (8-40). The selectmen may appropriate funds to the authority to cover its expenses in the first year of operation (8-61).

**Commissioners of Housing Authority.** The selectmen appoint five commissioners of the housing authority who are residents of the town and who serve for five-year overlapping terms. Commissioners may not hold any other public office in the town. The selectmen designate the first chairman of the commission (8-41). The selectmen may remove commissioners from office for inefficiency, neglect of duty, or misconduct in office (8-42).

## Licenses and Permits

**Advertising Signs.** The consent of the selectmen is necessary before the commissioner of transportation permits erection of certain advertising signs (21-61). The selectmen must remove signs displayed contrary to the provisions of Chapter 411 of the general statutes (21-60).

**Auctions.** A majority of the selectmen issue licenses for auctions to nonresidents. No license is necessary for sale of provisions, charcoal, wood, products of a farm, and second-hand household furniture (21-1; 21-2).

**Bazaars and Raffles.** The first selectman, in towns in which there is no police chief, issues licenses for bazaars and raffles where these have been approved by the town (7-173).

**Billiard or Pool Rooms.** The first selectman grants permits to suitable persons to conduct public billiard and pool rooms and may revoke any permit issued by him (53-280). The first selectman may order all public billiard or pool rooms to close at midnight (53-281).

**Bingo.** The board of selectmen decides whether the playing of bingo will be permitted in the town and makes rules and regulations governing its playing. The first selectman issues individual permits and may revoke them (7-169).

**Closing-out Sales.** Before selling under the state license prescribed in section 21-35b, each person conducting a closing-out sale must apply to the selectmen for a municipal license (21-35d; 21-35a).

**Crematory.** In towns without zoning commissions, the selectmen approve the location of crematories when they are not located in a cemetery (19a-320).

**Dangerous Weapons.** The first selectman may issue permits for carrying dangerous weapons (53-206).

**Exhibitions.** The selectmen may license and regulate any exhibitions held in the town (21-6).

**Fireworks.** Where there is no police or fire department, the first selectman approves applications to the state fire marshal for permits for supervised displays of fireworks by municipalities, fair associations, amusement parks and other organizations (29-357).



**Fuel Oil Burners and Storage Tanks.** The selectmen may enact rules and regulations for the installation of fuel oil burners, equipment and storage tanks (29-316).

**Games of Chance.** Application by qualified organizations to operate games of chance in the town is made to the first selectman if the town has no police department (7-186b).

**Gasoline.** Applications to the state commissioner of motor vehicles for licenses to sell gasoline must be accompanied by a certificate of approval of the location given by the selectmen, if there is no zoning board of appeals (14-321). A hearing on the application for approval of the location must be held within a reasonable time after the date of application. The selectmen must take certain factors into consideration before granting the certificate (14-322).

**Itinerant Vendors.** An itinerant vendor is any person who engages in a temporary or transient business (21-27). In addition to a state license, an itinerant vendor must have a license issued by the selectmen in each town where he does business. In order to receive a license a vendor must pay a fee fixed by the selectmen or a fee equal to the amount of taxes assessable in the town on the goods which he is to sell. The license is valid as long as the vendor continuously sells the stock of goods or merchandise, but not longer than the first day of October following its date (21-29). Veterans, who served in time of war as defined in section 27-103 and who have been residents of the state for the two years preceding application for a vendor's license, do not have to pay a fee for the license, provided they present proof of residence and service (21-30).

**Junk Dealers.** A junk dealer is anyone who engages in the business of selling and trading junk, old metals, scrap, rags, waste paper or other second-hand articles (21-9). Any town may regulate licensing of junk dealers by ordinance. A certificate of registration issued by the state motor vehicle department must be presented by each applicant for a license (21-10). The license is issued by the selectmen (21-11). The selectmen may examine the dealer's record of his transactions at any time (21-11).

**Lodging Houses.** The selectmen may grant licenses to suitable persons to be lodging house keepers and to carry on the business of renting rooms and beds for lodging and may revoke such licenses for cause. A file of all persons lodging in the house must be kept in English and must be open to inspection by the selectmen (21-48).

**Mass Gatherings.** If there is no chief of police, the first selectman issues the license to hold an assemblage of more than 3,000 persons which is expected to continue for 18 or more consecutive hours (19a-436).

**Motor Vehicle Junk Yards.** A motor vehicle junk yard is any business at which are stored or deposited two or more unregistered motor vehicles no longer in condition for legal use on public highways or parts equivalent to two or more motor vehicles (14-67g). A certificate of approval of the location of the yard must be issued by the selectmen in towns without a zoning commission before a state license may be obtained (14-67i). A hearing must be held before approval of the location is granted (14-67k).

**Motor Vehicle Dealers and Repairers.** To obtain a state license for dealing in and repairing motor vehicles a person must first obtain and present to the commissioner of motor vehicles a certificate of approval of the location of the place of business. This certificate is issued by the selectmen in towns in which there is no zoning board of appeals (14-54). A hearing must be held on the application (14-55).

**Pawnbrokers.** All persons, corporations or partnerships which loan money on deposits of tangible personal property must be licensed as pawnbrokers (21-39). The selectmen may grant and revoke pawnbrokers licenses (21-40). Pawnbrokers must keep a record of their transactions which may be examined by the selectmen at any time (21-41).

**Purchasing Precious Metals or Stones.** If there is no chief of police, the first selectman licenses persons who purchase these items (21-100).

**Revolvers and Pistols.** The first selectman may issue permits in a form prescribed by the commissioner of public safety for the retail sale of pistols and revolvers or for carrying a pistol or revolver (29-28). Applications must be forms prescribed by the commissioner of public safety (29-28a). Information about the applicant's criminal record must be filed (29-29).

**Wild Animals.** Transportation of wild animals must be licensed by the first selectman (53-185).

## Officers and Employees

**Appointments.** If no provision is made by law for appointment of any town officers, they are to be appointed by the selectmen (9-185). When not otherwise prescribed by law, the term of town officers appointed by the selectmen expires on the termination date of the board (9-187). Specific provision is made for the selectmen to appoint the following officers:

Acting tax collector (12-137).

Acting town clerk (7-20).

Aviation Commission (15-80).

Board of finance (7-340).

Cemetery committee (19a-302).  
Civil service commission (7-408).  
Director of health (19a-200; 19a-204).  
Dog warden (22-331).  
Economic development commission (7-136).  
Examiner of land records (7-14).  
Fire marshal (29-297).  
Gas or electric commission (7-216).  
Health, board of district department (19a-241).  
Housing authority commissioners (8-41).  
Jury committee (51-221).  
Measurer of wood (43-27).  
Oyster committee (26-238).  
Parking authority (7-203).  
Redevelopment agency (8-126).  
Special constables (7-92; 15-154a; 26-6a).  
Superintendent of highways and bridges (13a-8).  
Town manager (7-98).  
Town marine officers (15-145a).  
Tree warden (23-58).

**Approval of appointments.** The selectmen must approve the appointments of:

Assistant registrar of vital statistics (7-38).  
Assistant town clerk (7-19).  
Sub-registrar of vital statistics (7-65).

**Removals.** Specific provision is made for the selectmen to remove the following officials:

Civil service commission (7-408).  
Dog warden (22-335).  
Fire marshal (29-298).  
Superintendent of highways and bridges (13a-8).

**Resignations.** A town clerk desiring to resign from office presents his or her resignation in writing to the selectmen. The resignation becomes effective on the date specified by the resigning officer or, if no date is specified, upon the date of its submission. All other officers wishing to resign submit their resignations to the town clerk (7-103).

**Compensation Fixed by Selectmen.** The selectmen are required to fix the compensation of the following officers:

Assessors, if not set by the town (12-121).  
Board of tax review, if not set by the town (12-121).  
Registrars of voters, deputy registrars, and assistants (9-194).

Tree warden and deputies, if not set by the town (23-58).

Town clerk, registrar of voters and deputy registrar for certain duties in connection with elections (9-124; 9-55a).

Town clerk, compensation for all required service not fixed by statute (7-34a).

**Official Bonds.** The selectmen must fix the amount of the bond of the following officers:

Acting tax collector (12-137).

Gas or electrical commissioners (7-216).

Superintendent of highways and bridges (13a-9).

Tax collector (12-136).

Town treasurer as trustee (45-85).

**Vacancies.** Except as otherwise provided by law, the selectmen may fill vacancies on town boards and commissions if the board or commission fails to do so within thirty days after the vacancy occurs (7-107). Vacancies in elective town offices must be filled at the next town election or at a special election; but until the vacancy is so filled, it must be filled by appointment of the selectmen. The selectmen fill all vacancies in offices to which they have the power of appointment (9-220). The statutes make specific provision for the selectmen to fill vacancies in the following offices:

Board of gas and electrical commissioners (7-216).

Board of police commissioners (7-275).

Civil service commissioners (7-408).

Economic development commission (7-136).

Registrar of voters (9-192).

Town manager (7-98).

The first selectman must notify the secretary of the state of a vacancy in the office of town clerk within five days after the vacancy occurs (9-223).

**Oaths.** After the election or appointment of any town officers of whom an oath is required by law, the selectmen must immediately cause them to be sworn to faithful discharge of their respective duties (7-12).

**Conflicts of Interest.** Any municipality may by ordinance or regulation prohibit any member or employee of any municipal board or agency or any municipal official, officer or employee from (1) being financially interested or having a beneficial interest, either directly or indirectly, in any contract or purchase order for supplies, materials, equipment or contractual services furnished to or used by the municipality board or agency and (2) accepting or receiving, directly or indirectly, from any person, firm or corporation to which a contract or purchase order may be awarded by the municipality, money or



anything of value or any promise, obligation or contract for future reward or compensation. Penalties for violation of this ordinance or regulation may be provided (7-479).

**Merit System for Town Employees.** The town meeting may submit the question of the adoption of a merit system for town employees as provided for in sections 7-407 through 7-424 of the general statutes to a referendum vote at a special or regular election (7-407). Within thirty days of the approval of the merit system, the chief executive officer of the town must appoint a civil service commission of three members for six-year overlapping terms. No more than two commissioners may be of the same political party; none may hold a position with the federal, state or town government. The chief executive officer may remove any commissioner for specified causes and may fill vacancies on the commission (7-408).

**Retirement System for Town Employees.** Any town may by a resolution, passed by the selectmen and subject to referendum, accept sections 7-425 through 7-459 which provide for the town's participation in the Connecticut municipal employees retirement system (7-427).

**Minority Representation.** The maximum number of members of any elected or appointed town board, commission or committee who may be members of the same political party is: two if total membership is three; three if total membership is four; four if total membership is five or six; five if total membership is seven or eight; six if total membership is nine; two-thirds if total membership is over nine. A special procedure is to be followed in determining the majority and minority party. These provisions do not change the membership of any board or commission which has a greater degree of minority representation (9-167a).

**Liability for Employee's Damages.** Any town must pay all sums which a town employee, except firemen covered under section 7-308, becomes obligated to pay by reason of liability imposed by law for infringement of any person's civil rights or for physical damages to person or property if the employee was at the time acting in the performance of his duties and within the scope of his employment and if the damage did not result from a willfull or wanton act of the employee (7-465).

**First Selectman as Chief Executive Officer.** Unless otherwise provided by law, the first selectman, in each town in which the board of selectmen is the executive authority, is the chief executive officer of the town and an ex officio member, without vote, of all boards, commissions and committees. This provision does not affect any special act which gives the first selectman power to vote on boards, commissions and committees (7-12a).

## Penalties

Throughout the general statutes there are various provisions penalizing the selectmen for neglect or wrongful performance of duty or violation of law. The penalties are usually fine or imprisonment or both. Penalties are provided for the following violations:

1. For willfully authorizing or contracting for expenditures or debts in excess of appropriations except for the necessary repair of roads or bridges or support of schools or paupers (4-100).
2. For neglecting to perform the duties of office (7-104).
3. For failure to use proper form of selectmen's orders (7-13).
4. For failure to require of the town treasurer a sufficient bond (7-12).
5. For failure to carry out duties in connection with indexing and preservation of land records (7-14).
6. For employment of private detectives, not in accordance with the statutes (7-238).
7. For expending, in a town with a board of finance, money not appropriated in accordance with the statutes (7-349).
8. For a false report on finances of the town (7-398).
9. For failure to comply with the law on uniform accounting systems (7-399).
10. For failure to warn an election (9-350).
11. For being in session for the purpose of admitting electors except on days prescribed by law (9-349).
12. For neglect of duty or fraud in connection with elections or admission of electors (9-355).
13. For violating specified provisions of the statutes on the levy assessment and collection of taxes (12-150; 12-170).
14. For failure to open highway blocked with snow (13a-107).
15. For delivering a corpse for medical study in violation of law (19a-287).
16. For keeping sums in excess of salary, for taking a bribe, for fraud, and for embezzlement (53a-119; 53a-146; 53a-147; 53a-161a; 53a-161b; 53a-161a).
17. For violating "freedom of information" statutes (1-21k).

## Planning, Zoning, Redevelopment and Conservation

**Planning Commission.** The ordinance creating a planning commission must provide for its election or appointment and fix the term of office of its members (8-19).

**Municipal Improvements.** No action may be taken by any town agency or by the town meeting on any proposal involving the location, acceptance, abandonment, widening, narrowing or extension of streets, bridges, parkways or other public ways, the location, relocation, acquisition of land for, or the abandonment, sale or lease of, airports, parks, playgrounds and other town owned properties and public buildings, the extent and location of public utilities and terminals, or the extent and location of public housing and redevelopment of specific areas until it has been referred to the planning commission for a report (8-24).

**Zoning Commission.** A town meeting may vote to create a zoning commission. In towns of less than 5,000 population, the selectmen may be empowered to act as the zoning commission (8-1).

**Alternate Members of Planning and Zoning Commissions.** Any town may provide by ordinance for appointment or election of three alternate members to its zoning commission, planning commission, or combined planning and zoning commission. Alternate members must be electors of the town and may not be members of the zoning board of appeals or planning commission (8-1b).

**Zoning Board of Appeals.** Every municipality which has a zoning commission must have a zoning board of appeals of five regular members and three alternates. The town's members and alternates are elected or appointed as prescribed by ordinance. Vacancies among the members or alternates are filled by the board of selectmen of towns (8-5).

**Redevelopment Agency.** The town may create a new redevelopment agency to consist of electors of the town or may designate the town housing authority, the state commissioner of housing, or other appropriate agency as the redevelopment agency of the town. The members of a new agency are appointed by the selectmen with approval of the town meeting. The agency has five members appointed for five-year overlapping terms (8-126).

**Obstructions on Lands Bordering Navigable Waters.** The selectmen of any town bordering navigable waters must remove all obstructions and structures from public shores, beaches or other land (15-12).

**Coastal Management.** In towns in which the legislative body is the town meeting or representative town meeting, the board of selectmen by majority vote may authorize the chief executive officer to enter into contracts or grant agreements concerning coastal management with the commissioner of environmental protection (22a-112, subsec. f).

**Flood and Erosion Control.** In towns under 25,000 the selectmen may be empowered by ordinance to act as the flood and erosion control board (25-84).

**Conservation Commission.** When the town establishes a conservation commission, the members and alternate members are appointed by the chief executive officer (7-131a).

**Harbor Improvement Agency.** The chief executive officer of the town and the legislative body designate a harbor improvement agency (13b-56).

**Transfer of Open Spaces.** Any town and the commissioner of environmental protection may agree to transfer control of open spaces from one to the other (23-12).

## Public Utilities

**Gas and Electric Companies.** When the town operates a gas or electric plant, the selectmen may direct that additional financial information be furnished by the board of commissioners, superintendent or clerk of the plant (7-221).

**Complaint of Dangerous Conditions.** The town may make a written complaint to the department of public utility of defects in the plant or equipment of a public service corporation which endanger public health and safety (16-12). The town may also complain of danger to pipes and conductors from escaping electricity (16-14).

**Telegraph, Telephone, Power and Water Companies.** The selectmen have full direction and control of placement, erection and maintenance of wires, conductors, fixtures, structures and apparatus of telegraph, telephone, power, and water companies and may designate the kind, quality and finish of installations. The selectmen may make regulations to carry out this power (16-235). The selectmen may regulate street openings and excavations (16-229; 16-231). The town may use certain telephone and telegraph lines for municipal signal wires (16-233).

**Motor Buses and Taxicabs.** The town may petition the department of transportation concerning routes, fares, schedules, continuity of service and convenience and safety of passengers of motor bus companies and taxicabs. The department must notify the first selectman of a hearing on an application for operation of motor buses and taxicabs in the town (16-309; 16-320).

**Livery Service.** The department of transportation must notify the first selectman of a hearing on an application for operation of a motor vehicle in livery service (16-326).



**Rates.** The town may complain to the department of public utility control regarding discriminatory or unreasonable rates of public service corporations (16-21).

**Railroads.** The department of transportation must notify the selectmen of an order permitting construction of a railroad at a highway grade crossing and of hearings to determine whether a grade crossing should be eliminated or whether obstruction to view should be removed (13b-267; 13b-274; 13b-281).

The selectmen may request the commissioner of transportation to—

1. Order a railroad company to relocate a highway near a railroad (13b-285; 13b-287).
2. Order elimination or relocation of a grade crossing (13b-270; 13b-271; 13b-272).
3. Order a railroad to comply with the law requiring guard rails (13b-294).
4. Make orders concerning commercial or industrial sidetracks at grade (13b-308).
5. Order non-use or regulate use of tracks for switching purposes (13b-341).
6. Regulate blowing of engine whistles (13b-333; 13b-334).
7. Order installation of gates, flagmen or signal devices (13b-343).
8. Order a railroad to stop a passenger train at a station (13b-313).
9. Order a railroad to bulletin late arrival and departure of trains (13b-355).
10. Examine any railway or street railway in the town (13b-200).

The selectmen may complain to the department of transportation regarding connecting facilities and approve petitions by individuals aggrieved by lack of connecting facilities (13b-215; 13b-212).

The town must place and maintain signs, furnished by railroad companies, at grade crossings (13b-344). The towns may construct, with permission of the commissioner of transportation, footways on the line of any railroad bridge or causeway (13b-297). The state must reimburse the town for the removal of certain grade crossings (13b-284).

**Street Railways.** The selectmen have control over placing or locating tracks, wires, conductors, fixtures, or other permanent structures of any street railway (16-199; 16-201; 16-203; 16-205; 16-206).

## Records and Documents

**Books and Files for Records.** The town clerk must provide suitable books, files or systems, approved by the public records administrator, for the keeping of the records in his custody and may purchase stationery and other

office supplies necessary for the proper maintenance of his office. These books, files and systems and stationery and office supplies are paid for by the town, and the selectmen, on presentation of a bill for them properly certified by the town clerk must draw their order on the treasurer in payment for them (7-24).

**Fireproof Vaults.** All public records of the town must be kept in fire-resistive vaults, safes or buildings (7-27).

**General Index of Land Records.** In all towns in which there is no general index of the land records, the selectmen must have one prepared at town expense by some competent person under the supervision of the public records administrator (7-14).

**Examination of Land Records.** The selectmen shall annually appoint some suitable person to examine the indexes of the land records of their town for the preceding year and to note and report in writing to the town clerk all errors and omissions in the same. This person shall examine the land records and note all omissions by the town clerk or assistant town clerk to attest the records of conveyances as provided in section 7-14. The selectmen must send to the public records administrator, on or before December thirtieth of each year, a certificate that the examination of indexes and inspection of records required by section 7-14 has been completed, along with a summary statement of the results of the examination and inspection. Selectmen who fail to comply with the provisions of this section may be fined not less than \$5.00 nor more than \$25.00 (7-14).

**Repair of Records.** The selectmen must annually ascertain the condition of all town records and have any volume repaired or rebound where this is necessary for its preservation (7-14).

**Probate Records.** The chief administrative officer of the town must provide fire-resistive vaults or safes and office space for the probate court (45-14).

**Destruction of Records.** Approval of the administrative head of the municipality and of the public records administrator is necessary before any document may be destroyed. Documents relating to any matter which has been disposed of and of which no record is required by law to be kept may be destroyed after the document has been held for the period of time specified in a retention schedule published by the public records administrator (7-109). Original land records which have been photographed, microphotographed, or reproduced on film according to the requirements of section 1-16 and 7-27a may be destroyed with the permission of the administrative head of the municipality and public records administrator (7-27a).

**Delivery to State Librarian.** Any official of the town may turn over to the state librarian, with his consent, for preservation in the state library, any official records and documents not in use in his office (11-4).

**Photographic Reproduction.** Any officer of the town may have records, papers or documents photographed, microphotographed or reproduced on film (1-16). These reproductions are considered for all purposes the same as originals (1-17). The originals of records so reproduced may be disposed of in any manner approved by the selectmen and the state public records administrator (1-18).

**Access to Public Records.** As custodian of many of the administrative records of the town, the selectmen have a significant responsibility regarding public access to these records. Section 1-19 of the general statutes requires that, except as otherwise provided by any federal or state statute, all records maintained or kept on file by any public agency, whether or not such records are required by any law or by any rule or regulation, shall be public records and every person has the right to inspect such records promptly during regular office or business hours or to receive a copy of such records in accordance with section 1-15. Subsection (b) of section 1-19 lists the records which are exempt from this requirement (See also 1-19a, 1-19b, and 1-20a). Records must be kept by public agencies at their regular office or place of business in an accessible place (1-19).

**Denial of Access to Public Records.** Any denial of the right provided by section 1-19 to inspect or copy records must be made, in writing, to the persons requesting the right by the public agency official who has custody or control of the public record within four business days of the request. Failure to comply with a request to inspect or copy within this four business day period is deemed a denial (1-21i, subsec. a). Appeal from a denial to the freedom of information commission is provided (1-21i, subsec. b).

## Town Meetings

**Warning and Notice.** The warning of each town meeting must specify the objects for which the meeting is to be held. It must be signed by at least a majority of the selectmen. Notice of a town meeting is given by (1) publishing a written warning signed by the selectmen in a newspaper published in the town or having general circulation in the town and (2) by posting the warning on a signpost or other exterior place nearest to the office of the town clerk and in other places designated by the annual town meeting. The warning must be published and posted at least five days previous to holding the meeting, including the day that notice is given and any intervening Sunday or legal holiday but excluding the day of the meeting. The selectmen must file a copy of the warning, on or before they day of the meeting, with the town clerk who

records it (7-3). The person who publishes and posts the warning must make a written statement that proper notice was given to the town clerk who records it with the records of the meeting (7-4). When any town's public buildings do not have adequate space, town meetings may be held outside the town at the nearest practical location (7-1, subsec. b).

**Annual Town Meeting.** Except as otherwise provided by law, an annual town meeting must be held in each town (7-1).

**Special Town Meetings.** The selectmen may convene special town meetings when they deem it necessary. They must warn a special town meeting when twenty persons qualified to vote in town meetings petition for it. The meeting must be held within twenty-one days after the petition is filed (7-1). An ordinance may be adopted providing that the selectmen warn a special town meeting on application of fifty persons qualified to vote in town meeting (7-2).

**Eligibility to Vote.** At any town meeting, any person who is an elector of the town may vote and any citizen eighteen years of age or more who, jointly or severally, is liable to the town for taxes assessed against him on an assessment of not less than \$1,000 on the last completed grand list or who would be so liable if not entitled to an exemption under subdivision (17), (19), (22), (23), (25) or (26) of section 12-81 of the general statutes may vote unless restricted by the provisions of any special act relating to the town (7-6).

**Referendum on Town Meeting Item.** Not less than five days before a town meeting, the selectmen may, on their own initiative, remove any item on the call of the meeting for submission to the voters at a referendum as provided in section 7-7. Or the selectmen may submit any item which, in the absence of such a vote, could properly come before the meeting to the voters at a date set for the vote or along with any other vote the date of which has been previously set (7-7).

Two hundred or more persons qualified to vote in town meeting may petition the town clerk, in writing at least twenty-four hours prior to the meeting, requesting that any item or items on the call of the meeting be submitted to the persons qualified to vote in the meeting for a vote by paper ballot or by a "yes" or "no" vote on the voting machines. The referendum must be held not less than seven or more than fourteen days thereafter, on a day to be set by the town meeting or, if the meeting does not set a date, by the selectmen during the hours between 12:00 noon and 8:00 p.m. Any town may by vote of its legislative body provide for an earlier hour for opening the polls but not earlier than 6:00 a.m. When such a petition has been filed, the moderator of the meeting, after completion of other business and after reasonable discussion, shall adjourn the meeting and order the vote on such item or items in accordance with the petition (7-7).



The general statutes make provision in section 7-9 for the form of petitions for a vote of the electors or voters. They also provide that no petition for any action for a vote by electors or voters at any regular or special town meeting shall be valid unless the petition has been circulated by a person resident or eligible to vote in such town (7-9a).

**Time of Voting at Referenda.** When a town conducts a referendum on a day other than a state or local election, the polls must be open between 12:00 noon and 8:00 p.m. The town may by vote of its legislative body provide for an earlier opening but not earlier than 6:00 a.m. (7-9b). A referendum may be held on any date set by the legislative body, provided it shall be not earlier than the thirtieth day following the day when the town clerk issues a warning for it as instructed by the legislative body and further provided that if a question is to be submitted at an election as defined in section 9-1 the provisions of sections 9-369, 9-369a, and 9-370 shall apply (7-9c). This section does not apply to votes scheduled pursuant to section 7-7.

## Town Report

**Annual Town Report.** In towns without a board of finance, the selectmen must prepare and publish an annual report. The report, which must be available for distribution, contains reports of town officers and boards which are required by law to be included, a statement of the amount received by the town under part IIa of Chapter 240, an itemized statement of the disposition of these funds, and any other matter which the selectmen deem advisable to include. Towns with a population of 5,000 or less, as computed by the secretary of the office of policy and management, must publish their receipts and expenditures and the names of all persons, firms, or corporations, other than recipients of support under chapter 308, receiving money from the town, together with the total amount of payments in excess of \$50.00 to each, unless the town has a bookkeeping system approved by the secretary setting forth all the receipts and expenditures in detail (7-406).

**Required Statements.** The following statements must be included in the annual report. Statements marked with an asterisk may be filed with the town clerk in lieu of their inclusion in the town report.

1. An itemized estimate of the current expenses of the departments of the town for the coming year (12-122).
2. The amount of each uncollectible property tax transferred to the suspense tax book during the last fiscal year and the name of the person against whom the tax was liened (12-165).\*
3. A list of taxes abated (12-124).
4. A list of taxes refunded (12-129).\*
5. The certified statement of the tax collector required to be filed under section 12-167.

6. The recommendations and comments of the independent auditor (7-394).
7. The report of the town treasurer on any municipal reserve funds (7-363).
8. The report of the disbursements of the superintendent of highways and bridges (13a-10).
9. The report of the secretary of the board of education and the superintendent of schools or supervising agent (10-224).

## Traffic Regulation and Parking

**Traffic Authority.** The board of selectmen serves as the town traffic authority when there is no police force in the town or in a city or borough within the town (14-297). The traffic authority may designate throughways, one-way streets, safety zones, bus stops and public service motor vehicle stands, taxi stands, loading and unloading zones and pedestrian cross walks and may make parking restrictions (14-300 through 14-308).

**Traffic Control Signals.** Installation of all traffic control signal lights in the town must be approved by the state traffic commission (14-299).

**Regulations on State Highways.** No traffic control devices may be installed or maintained on any state highway or bridge on these highways or within the right of way of any such highway or bridge without consent and written approval of the state traffic commission (14-309).

**Decorations near Traffic Control Signals.** No decorations may be installed within the limits of any street or highway without a permit issued by the traffic authority. A clear view of all traffic control signals must be maintained (13a-122).

**Parking Authority.** The first selectman appoints members of a parking authority (7-203).

**Parking Violation Hearing Officers.** The first selectman must appoint one or more parking violation hearing officers to conduct the hearings authorized by section 7-152b. The first selectman must appoint a person to conduct hearings involving removal of abandoned vehicles (14-150).

## Trees and Forests

**Tree Warden.** The selectmen of each town must appoint a tree warden within thirty days after their election. The tree warden is appointed for a term of one year and until his successor is appointed and qualified (23-58).

**Compensation of Tree Warden.** The tree warden and his deputies receive reasonable compensation as determined by the town or the selectmen (23-58).

**Regulations of the Warden.** Regulations of the tree warden when approved by the selectmen have the force of town ordinances (23-59).

**Removal of Trees.** When public safety demands, the tree warden may order removal or pruning of any tree or shrub under his control. The selectmen must pay any reasonable charge for this work. With approval of the selectmen the tree warden may remove any trees or plants under his jurisdiction which are hosts of insects or fungous pests (23-59).

**Maintenance of Abandoned Highways.** The state forest fire warden may, with written agreement of the selectmen, maintain certain abandoned highways for forest fire prevention (23-51).

**Gypsy Moth Infestation.** The first selectman may ask the state entomologist to survey the magnitude and location of a gypsy moth epidemic in the town (22-91b).

## Welfare

**Town Support.** Each town, through its selectmen, must furnish necessary support to all paupers therein or sent from such town to any licensed institution, unless support is otherwise provided for by the state (17-292). All persons who cannot support themselves and who have no relatives of sufficient ability who are obligated by law to support them must be provided for and supported by the town in which they reside, or, if they have no residence, by the town in which they become in need of aid (17-273; 17-273b).

**Medical Treatment.** The town must provide medical treatment and necessary hospitalization for all persons being supported by the town (17-274). The selectmen may contract with the Institute of Living in Hartford for treatment of any mentally ill persons for whom the town is required to furnish support (17-275).

**Request for Town Support.** Before any person receives town support, he must make a written request for it to the selectmen accompanied by a full statement of his financial condition which is signed and sworn to. Requests for medical care and hospitalization may be signed by the person or institution furnishing such care (17-278). Any person who has control of any property belonging to a person applying for support must make a full statement of this property (17-279). Special provision is made for granting of support to owners of real estate (17-280; 17-281).

**Burial of Poor Persons.** The selectmen must provide decent burial for persons leaving insufficient estate or having no legally liable relatives (17-286).

**Almshouses.** The town may establish one or more almshouses for the admission of poor persons. The selectmen must provide medical examinations for almshouse residents and must apply for commitment to state institutions of mentally ill or retarded residents (17-289).

**Records and Reports.** The selectmen must keep complete and accurate records of persons receiving town support. Monthly reports, or as required, must be made to the commissioner of income maintenance of the number of persons supported and the cost of support; reports must be on forms approved by the commissioner (17-291).

**State Aid.** At the end of each quarter, one of the selectmen or the official charged with administration of general assistance in the town must send to the commissioner of income maintenance a statement of the cost to the town of general assistance during the quarter. The report must be on a form prescribed by the commissioner and must be signed and sworn to. "Cost" is defined to mean the actual relief expenditure not including administrative cost, and expenditures for medical care may not exceed the amounts set forth in the schedules promulgated by the secretary of the office of policy and management. The welfare commissioner, if he is satisfied that the statement from the town is substantially correct, certifies it to the state comptroller who reimburses the town for 90 percent of general assistance expenditures except 100 percent is paid to towns having a work or training program under section 17-281a. This payment is in lieu of all other payments to the town for reimbursement for relief expenditures. If the town recovers any portion of relief payments from the recipient, it must reimburse the state for its portion of the original expense (17-292).

If the welfare commissioner rejects a town claim for reimbursement, the town may appeal his decision to a committee of the general assembly provided for in section 17-292b. Dispute between a town and a hospital as to payment for treatment of welfare recipients may be referred to the commissioner of income maintenance (17-292).

**Support by Relatives.** The husband, wife, father, mother or children of a poor person must provide for his or her support. The town may apply to the superior court for enforcement of this requirement (46b-215—46b-217).

**Applications for State Assistance.** Applications for public assistance from the state under chapter 302 of the general statutes may be made to the local officer charged with administration of public assistance in the town where the applicant resides or directly to the commissioner of income maintenance (17-82b). Forms for applications are provided by the commissioner (17-82a).



**Commitment of Children.** Any selectman having information that a child is neglected, uncared for or dependent may file with the superior court in the district where the child is a resident, a verified petition stating the facts that bring the child within the jurisdiction of the court (46b-129).

**Handicapped Children.** The selectman may apply to the Newington Children's Hospital or The Children's Center of Hamden for admission of certain handicapped children (17-307; 17-309).

**Family with Service Needs.** Any selectman who believes that the acts or omissions of a child are such that his family is a family with service needs may file a written complaint setting forth those facts with the superior court (46b-149).

**Termination of Parental Rights.** The selectmen having charge of any foundling minor child may petition the probate court for termination of parental rights (45-61c).

**Commitment of Mentally Ill Persons.** If any mentally ill person is at large and dangerous to the community, the first selectman may make a written complaint to the probate court (17-177). A penalty is provided for persons who wilfully attempt false commitment (17-184).

**Conservator.** The first selectman may apply to the probate court for appointment of a temporary conservator for a person who is incapable of managing his or her affairs (45-72). The first selectman may apply for transfer of a conservatorship when a person moves to another town (45-77a).

**Detention Homes.** Towns may provide detention homes for children or for persons accused of crimes who, in the opinion of the judge or prosecutor need reformative rather than punitive treatment (17-46).

## Miscellaneous

**Airports.** When the town votes to establish an aviation commission to administer ordinances concerning airports, landing fields and aeronautics, the selectmen appoint the members of the commission (15-80).

**Cemeteries.** The selectmen may enact laws for the care and management of burial lots (19a-297). The selectmen may appoint a cemetery committee and take charge of cemetery funds (19a-302; 19a-304). The selectmen may care for neglected cemeteries (19a-308).

**Elderly Persons.** The first selectman must appoint a municipal agent for elderly persons (7-127b).

**Eminent Domain.** The town may take property by eminent domain for a town hall and other necessary buildings; for schoolhouses and other school purposes; for a public square, commons, or parks; for a building for protection of records against fire (48-3; 48-5; 48-6; 48-7; 48-8; 48-12).

**Evicted Tenant.** When a tenant is evicted and fails to remove his personal effects from the sidewalk, street or highway within twenty-four hours, the first selectman must remove and store them. If the tenant does not claim them within fifteen days, they may be sold at auction (47a-42).

**Fences.** The selectmen may be called upon to settle disputes over division fences (47-49 through 47-56).

**Hearings before the Board of Selectmen.** The first selectman may administer oaths in any matter before the board of selectmen (1-24; 1-22; 1-23; 1-25).

**Interlocal Agreements.** Any public agency of the state may enter into an interlocal agreement with any public agency or agencies of this state or any other state (7-339b). A public agency is defined as any city, town or borough, any district defined in section 7-234, any metropolitan district, municipal district created under section 7-330, and any local governmental unit, subdivision or special district or another state (7-339a). The purposes for which an interlocal agreement may be made are defined in section 7-339b.

**Interlocal Risk Management Agency.** The board of selectmen in towns where the town meeting or representative town meeting is the legislative body may vote to form and become a member of an interlocal risk management agency (7-479b).

**Jury Committee.** In January every year the selectmen must appoint three electors of the town, no more than two of whom belong to the same political party, to serve as a jury committee. The first selectman must notify the jury administrator of the names and addresses of the committee (51-221).

**Liquor Control.** The selectmen must warn of a referendum on the sale of alcoholic beverages or beer when such vote has been petitioned for (30-10).

**Loans for Purchase of Fuel.** The first selectman may request funds from the secretary of the office of policy and management for low-cost loans for purchase of fuel by eligible householders (16a-42b).

**Receivers for Associations.** Under certain conditions, the selectmen may apply in the name of the town to the superior court for the appointment of a receiver of the property of an association, community or corporation (52-505).

**Shellfish Grounds.** The selectmen may appoint a committee to designate suitable places for planting or cultivating oysters, clams or mussels (26-238; 26-251). The selectmen or the committee assigns grounds for individuals to cultivate (26-240; 26-242; 26-243). The selectmen approve construction of dams on saltwater creeks and inlets (26-248). The selectmen may determine the quantity of clams which may be taken in one day and prohibit taking of clams to protect natural beds (26-235).

**Signposts.** One or more town signposts for the posting of legal notices may be erected and maintained in every town at locations designated by the selectmen (7-102).

**Suits against the Town.** In suits against the town, process is served on the town clerk or one of the selectmen (52-57).

**Trustee.** The selectmen may apply to the probate court for appointment of a trustee for the estate of a person who has disappeared (45-87).

**Veterans.** The selectmen may apply to the veterans' home and hospital commission for headstones or a memorial stone for veterans who died overseas and whose bodies were not returned for interment (27-120; 27-121). The selectmen annually appoint a three-member committee to see that veterans' graves are cared for (27-123).

## Part Three

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